

**REMARKS**

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1, 15-28, and 35-41 are currently pending.

**Telephone Interview with Examiner Ly on January 22, 2004**

Applicant's representative, Tiep Nguyen, thanks the Examiner for the telephone interview on January 22, 2004 regarding the rejection of claim 34 under 35 U.S.C. 101 for non-statutory subject matter. In the interview, the Examiner provided the basis for the rejection under 35 U.S.C. 101 based on his belief that claim 29 does not provide a practical application outside or external to a computer.

**Rejection of Claims 1, 15-20, and 29-34 under 35 U.S.C. 112, second paragraph, as being indefinite**

It is respectfully submitted that claim 1, as previously presented, clearly recites "a method for managing a plurality of databases..." This is evident by the language "the method comprising:" on line 3 of the claim. However, in the interest of expediting the prosecution of the present application, claim 1 has been amended to remove the beginning language "In a network system for biological exploration and analysis" to avoid any possible confusion to such clear method claim. Accordingly, it is respectfully requested that the rejection of claims 1 and 15-20 under 35 U.S.C. 112, second paragraph, be withdrawn.

In the interest of expediting the prosecution of the present application, claims 29-34 have been canceled. Hence, the rejection of claims 29-34 is now moot.

Applicant reserves the right to file a continuation and/or divisional application that includes the subject matter in claims 29-34.

**Rejection of Claims 1, 15-28 and 35-41 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement**

Regarding claim 1, as stated above, the beginning language “[i]n a network system for biological exploration and analysis” has been deleted. Because such language was cited by the Examiner as new matter in the rejection, such rejection is now moot in view of the amendment to claim 1. Accordingly, it is respectfully requested that the rejection of claims 1 and 15-28 under 35 U.S.C. 112, first paragraph, be withdrawn.

Regarding claim 35, similar to the amendment made to claim 1, the beginning language “[i]n a network system for biological exploration and analysis” has been amended to now read “a system for managing...” Because the deleted language was cited by the Examiner as new matter in the rejection, such rejection is now moot in view of the amendment to claim 35. Accordingly, it is respectfully requested that the rejection of claims 35-41 under 35 U.S.C. 112, first paragraph, be withdrawn.

**Rejection of claims 29-34 under 35 U.S.C. 101 as being directed to non-statutory algorithm type subject matter**

The rejection of claims 29-34 is now moot in view of the aforementioned cancellation of such claims.

**Rejection of claims 29-33 under 35 U.S.C. 102(b) as being anticipated by Eckman et al.**

The rejection of claims 29-33 is now moot in view of the aforementioned cancellation of such claims.

**Conclusion**

For at least all of the above reasons, it is respectfully submitted that the present invention is neither disclosed nor suggested by the references of record, and the claims now pending patentably distinguish the present invention from the references of record. Accordingly,

Serial No. 09/862,424



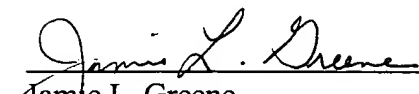
-11-

Docket No. 4010-US

reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Respectfully submitted,

By:

  
Jamie L. Greene  
Registration No. 32,467

KILPATRICK STOCKTON LLP  
1100 Peachtree Road, N.E.  
Suite 2800  
Atlanta, Georgia 30309-4530  
Telephone: (404) 815-6500

January 29, 2004

JLG/THN/43413.221712/WSHLIB 183901